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C O N F I D E N T I A L SECTION 01 OF 03 ABUJA 000884

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SUBJECT: Crime and Punishment in the Nigerian Senate

CLASSIFIED BY AMBASSADOR HOWARD F. JETER, REASON 1.5 (B/D)

11. (C) Summary. The Nigerian Senate leadership faces a bitter rearguard struggle from deposed leaders, led by former Senate President Chuba Okadigbo and former Deputy Senate President Haruna Abubakar, both anxious to revive their own fortunes and to punish their successors. Allegations of corruption against Senate President Anyim and his supporters swirl in the press and behind the scenes, with most senators weary of the bad press and the distractions of continual infighting. Anyim plausibly claims to be acting in the best interests of a reformed Senate and to be "decentralizing" Senate finances, while petty chiseling, at the very least, appears to continue unabated. While Anyim appears for the moment to be in control, the personality-driven scrapping over allegations of both present and previous fraudulent practices risks politicizing the Obasanjo administration's disjointed anti-corruption efforts, as well as continuing to unsettle the Senate. End summary.

12. (SBU) Senate President Anyim Pius Anyim has faced continual, although relatively minor challenges to his leadership, particularly since the turn of the year. His predecessor Chuba Okadigbo and other Senate leaders, toppled last summer in a corruption scandal, have never reconciled themselves to their loss of position and perks. Recently, they orchestrated a press campaign aimed at exposing alleged corrupt practices by Anyim and his colleagues. Okadigbo and his small band of loyalists wished to force these allegations to a public hearing, but Anyim supporters instead tabled a long-pending (and purposefully delayed) report on last summer's scandal.

13. (C) This "Kuta" report (named for the senator who headed last summer's investigatory committee), had been examined and "harmonized" by a second committee. Both reports were highly critical of Okadigbo and other former leaders for their irregular contracting practices and general mishandling and diversion of public funds while running the senate. Anyim had told Emboffs more than once that the Kuta report had been kept in "reserve," to be used only if Okadigbo and the other deposed leaders proved irretrievably "restless."

14. (SBU) On April 10, Anyim supporters quickly adopted the "harmonized" report, including its recommendation that the Kuta conclusions be forwarded to "appropriate Federal Agencies" for "further action," and that the named senators (Chuba Okadigbo, Haruna Abubakar, Evan Enwerem, Abubakar Girei, Rowland Owie, Florence Ita Giwa, Gbenga Aluko) be barred from Senate Committee Chairmanships. In an accompanying "confidence" ballot, the Senate voted 86-1 in support of Anyim's continuing tenure as Senate President. Twenty-two senators did not vote or were absent. Okadigbo, deserted by his supporters, cast the sole vote against Anyim.

15. (SBU) On April 20, police arrested an SSS security officer, attached to Haruna Abubakar's office, in the act of offering a bribe to National Assembly accounts staff for internal financial documents. On April 25, in the wake of a continuing behind-the-scenes campaign by Okadigbo and others to trumpet the accusations, the Senate adopted a motion calling upon Okadigbo to apologize or face suspension from the Senate. Senators Haruna Abubakar, Abubakar Girei and Roland Owie abjectly apologized to their colleagues, and disavowed any involvement in the allegations.

16. (C) The allegations of corrupt practices against Anyim center on the recent purchase of automobiles for Committee Chairmen and Vice Chairmen, as well as travel voucher abuse and over-invoicing of supplies. There are 63 committees, so 126 vehicles were purchased for the 109 senators. Essentially, everyone got at least one car. Accusers claim that an (unsolicited) 300,000 naira (about \$2500) cash rebate accompanied each delivered automobile Senate

leadership stoutly deny the accusations in public, but in private they tell a slightly different tale regarding the automobiles. In separate discussions with Poloff over the last several days Senate President Anyim, the chief of staff to Deputy Senate President Mantu, and Bala Adamu, the new Chair of the Senate Services Committee (charged with the provision of cars, houses, office space and other accoutrements to all senators), made clear that each car did come with a "discount," supposedly to be discussed and "negotiated" between individual senators and the dealers delivering the cars.

17. (C) Anyim termed the "discount" as something in which "I am not involved," but an option for each senator "if he chose to pursue it." He restated his public and private position (largely accurate) that he has successfully "decentralized" Senate finances, and freed his colleagues to spend allotted funds as they wished (a major and welcome reform from the inveterate cronyism of Okadigbo). Adamu framed the "discount" in terms of "extras" to be purchased for upholstery and other upgrades of the cars, according to the tastes of the individual senators. The Chief of Staff frankly stated that "everyone collected the 'discount' with the car," and noted that these sorts of transactions were the sort of everyday "dirty linen" that no one in the senate really wished to see reach the attention of the public.

18. (C) In recent conversation with senators from all three political parties in the Senate, the level of dismay and fatigue regarding continuing leadership struggles is readily evident. While some note that any substantive evidence of corrupt practices by the new leadership could not be ignored, few seem anxious to pursue the sort of tempestuous and very public investigations conducted last summer. Senators generally regard the accusations as the selfish acts of deposed leaders unwilling to accept their fall from power, and bent on exacting revenge on those who now rule the Senate.

19. (C) Former Senate Deputy President Haruna Abubakar delivered copies of several apparently genuine payment vouchers to the Deputy Chief of Mission on April 16. These papers appear to document a number of corrupt or otherwise less-than-transparent practices. These vouchers were distributed to a number of media houses as well; Senate leadership subsequently denounced these papers as fakes. Examination reveals what appears to be over-invoicing of office supplies and receipt of advances for travel supposedly never undertaken, without subsequent refund of the advance, among other dubious practices. Payments to some officials add up to relatively large sums (\$50,000 or more in some cases). Abubakar also alleged to us that the official purchase price of the hundred-odd cars, discussed in open Senate session, was in fact doubled, with Anyim and other leaders skimming off nearly four million dollars for themselves, leaving a modest \$2500 "discount" for the other senators. The arrest of Abubakar's security operative offering money for documents, and his subsequent apology in open Senate session suggest he may in fact have lacked clear proof of this core allegation, but do not prove him wrong.

110. (C) Anyim told Poloff April 20 that the approved Kuta report had been sent to President Obasanjo for examination, but that he had advised the President to "keep it without action" for the time being. Presidential Liaison Officer for the Senate Kashim Ibrahim told poloff April 23 that the report had not yet been officially communicated to the Presidency, although an "unofficial copy" might have "come over." Kashim also signaled some distancing of the Presidency from Anyim (previously regarded as a very welcome change from Okadigbo), saying the situation in the Senate was "fluid" and that Anyim was not doing a good job of "reaching out" to other senators. "He does not consult well," said Ibrahim. "We are taking a waiting attitude." He also noted considerable irritation among Presidential advisors with Anyim, who recently proclaimed his public opposition to the President's planned deregulation of subsidized fuel. "Many of us are very upset," said Ibrahim. Further, Ibrahim indicated that, given that the Senate Presidency had been zoned to the Igbo South-East, advisors to President Obasanjo had begun to consider who among Igbo senators might best take Anyim's place if he should fall.

111. (C) Comment. Stories of travel voucher abuse, over-invoicing of supplies, and built-in "discounts" for National Assembly members, House and Senate alike, in the purchase of furnishings, cars, etc, are the common currency of the legislative branch. Petty chiseling appears

endemic, and most elected members and staff turn a blind eye. Senate President Anyim will face continuing challenges to his authority so long as personality-based politics predominates, and those out of power scheme continually to topple those who are in positions of authority. For example, the first two Senate Presidents, Okadigbo and Enwerem, each of whom worked ceaselessly to effect the demise of the other, have temporarily united to unseat the third occupant of the office, Anyim. Ammunition for accusations is always close at hand, so long as petty (and perhaps not so petty) thievery continues. Seasoned observers comment that many Executive branch officers misappropriate far larger sums, hinting that it is difficult to blame legislators for wanting a piece of the action. However, executive branch malfeasance seems to take place amid fewer fireworks, and less public notice.

¶12. (C) Comment continued. The previous practice in the Senate had been to keep allegations of corrupt practices "in-house," and punish errant members through temporary suspension, dismissal from committees, and loss of high Senate office. Both those caught with their hands in the till, and those who embarrassed the Senate by making the allegations in the first place, faced similar punishments. With the transmittal of the Kuta Report to the Executive Branch, and the potential referral of the allegations to such bodies as the new Anti-Corruption Commission, President Obasanjo's nascent anti-corruption campaign could easily be embroiled in the Senate's political war of all-against-all. The prospect of continued strife and distraction in the Senate appears virtually certain.

Jeter